

## **Exhibit 7: Neil Simon Theater**

### **Exhibit 7A: Entrances**

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 7A (i.e., in the same condition as they existed for the Government's inspection conducted on July 21, 2011).

### **Exhibit 7B: Architectural Modifications**

Nederlander shall make the architectural modifications set forth in Exhibits 7A and 7B.

### **Exhibit 7C: Seating**

Nederlander shall implement the seating plan attached hereto as Exhibit 7C.

#### Wheelchair and Companion Seating:

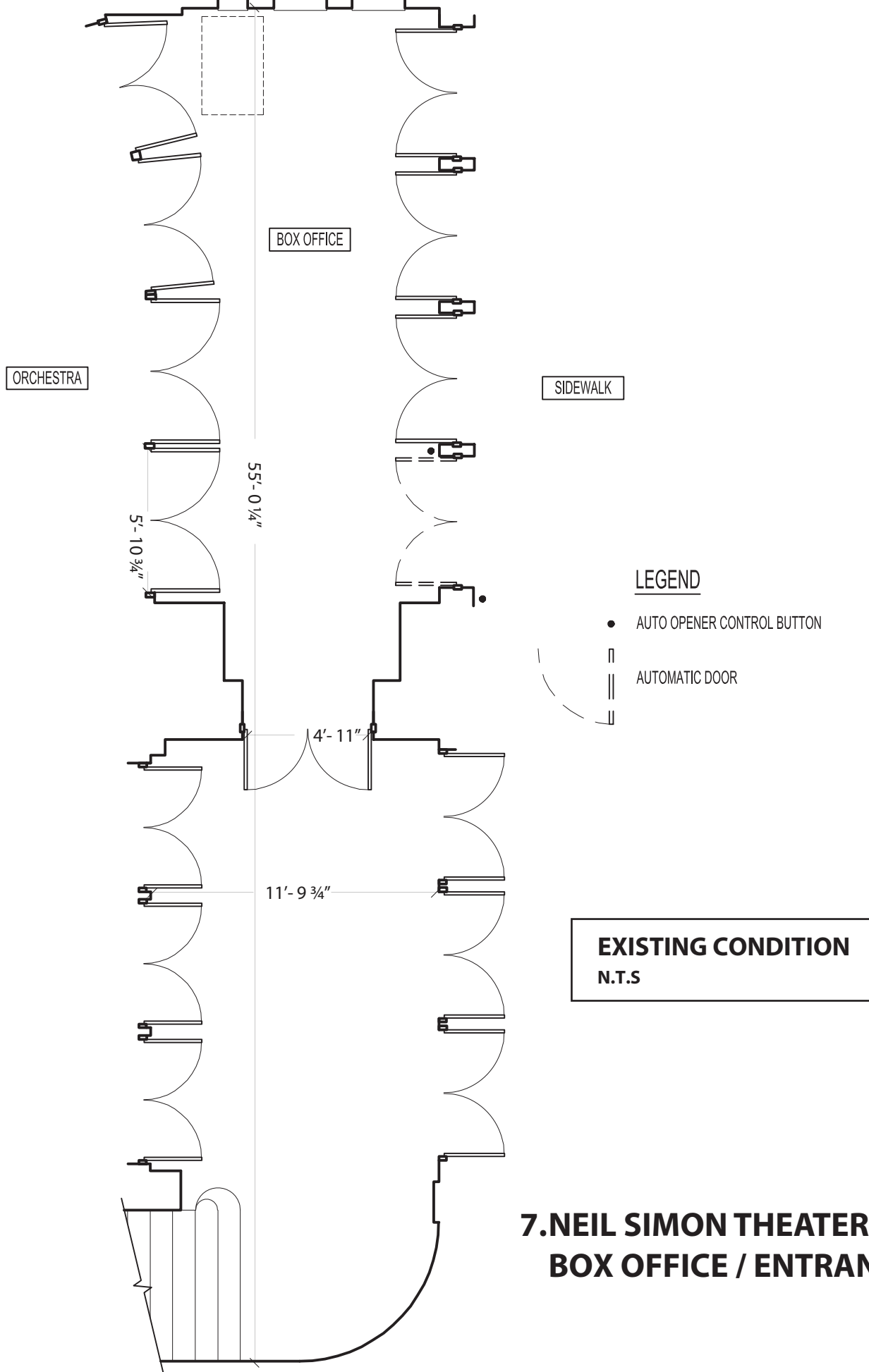
1. Nederlander shall maintain the four existing wheelchair and companion seating locations on the Orchestra level, at V3/V5; at V5/V7, at V13/V15; and at V17/V19, with V1, V9, V11, and V21 being companion seating locations.

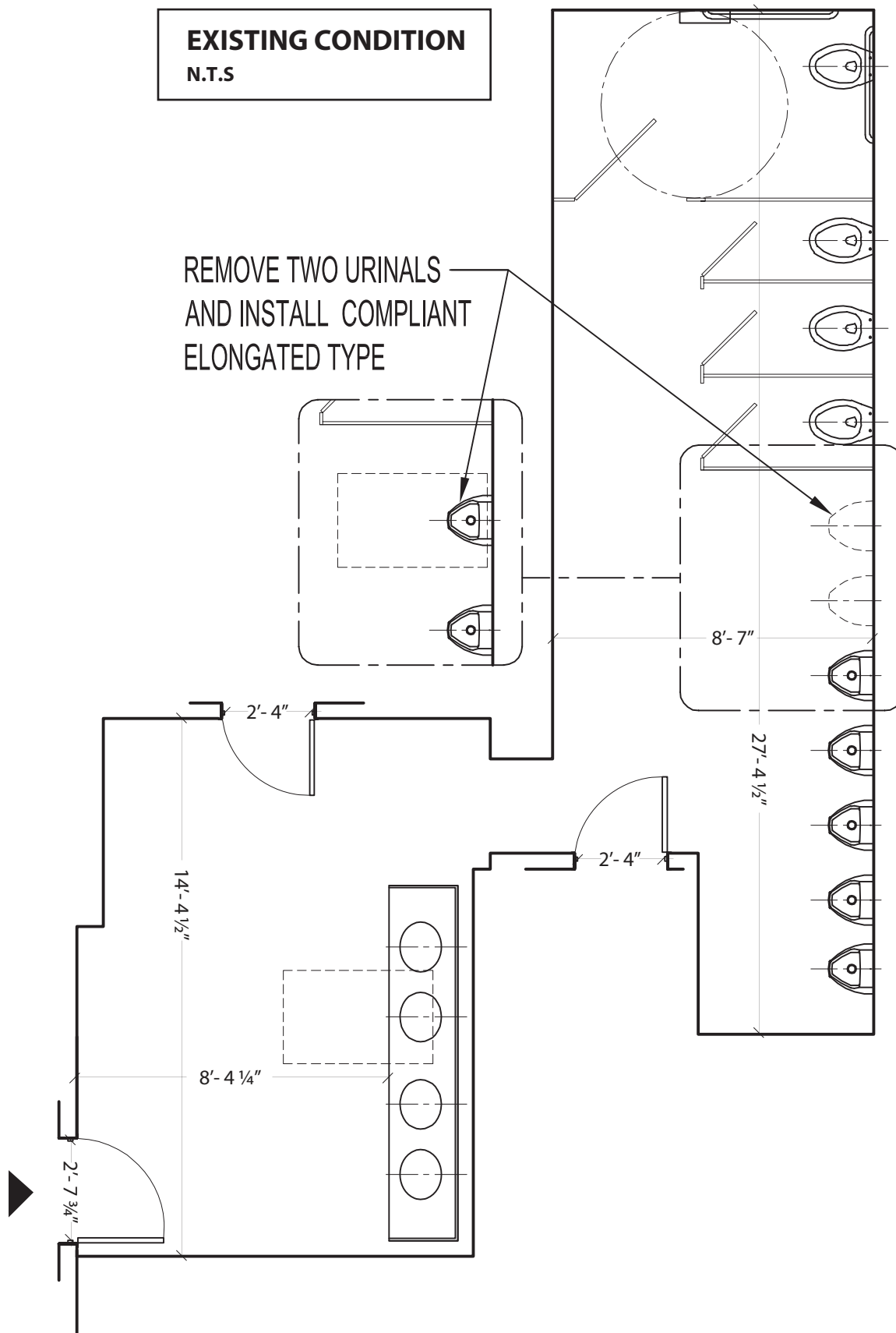
2. Nederlander shall add three new wheelchair seating locations on the Orchestra level, at U101/U102/U103/V101/V102/V103; at U2/U4/V2/V4/V6; and at U8/U10/V8/V10/V12; with U6, U12, and U104 being companion seating locations.

#### Aisle Transfer Seats:

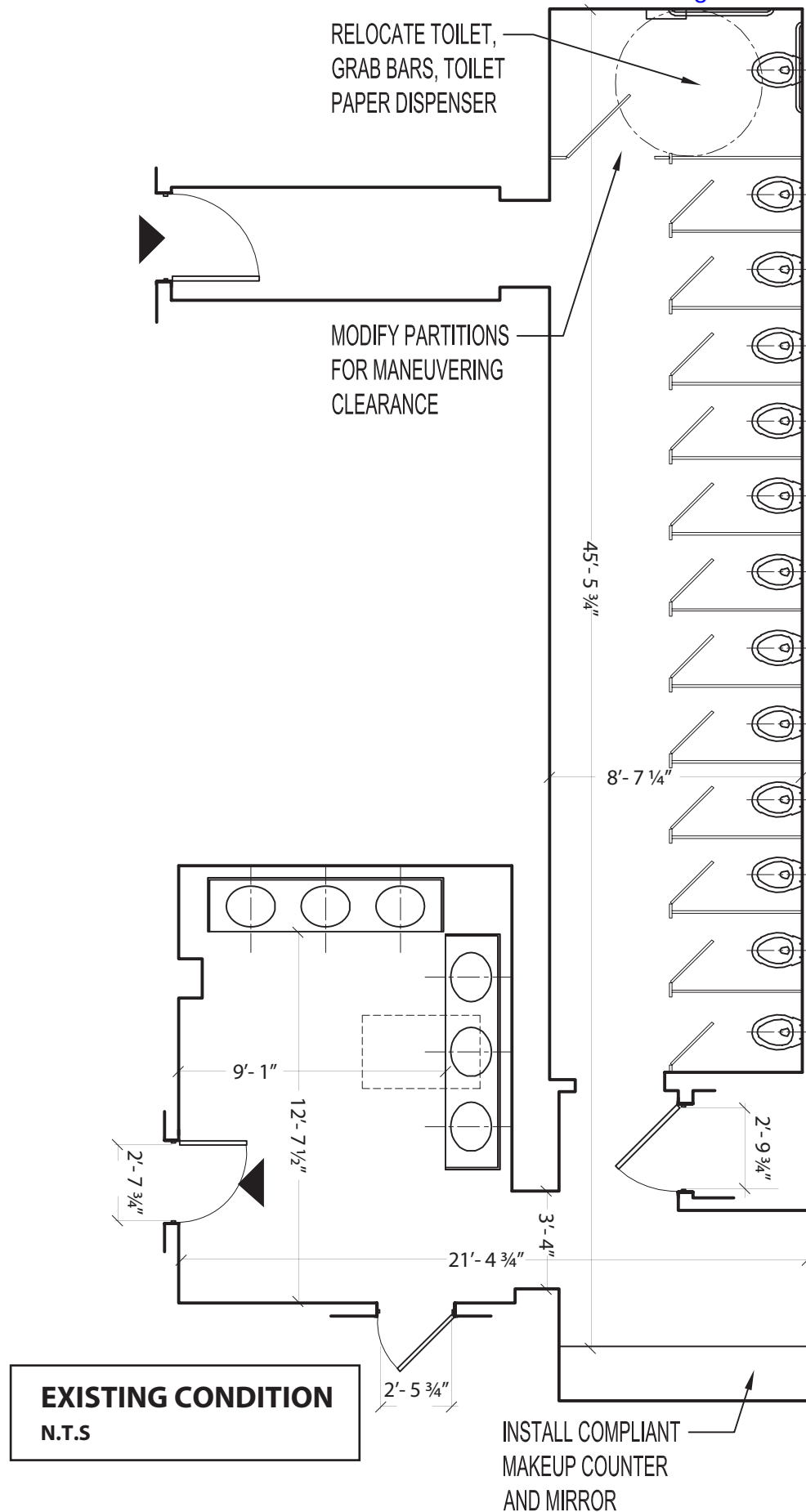
3. Nederlander shall maintain the three existing aisle transfer seats on the Orchestra level at J2, P2, and S2.

4. Nederlander shall add eleven new aisle transfer seating locations, four on the Orchestra level at C101, C113, L101, and seven on the Mezzanine level at L115, F101, F124, H2, T1, T2, T101, and T128.

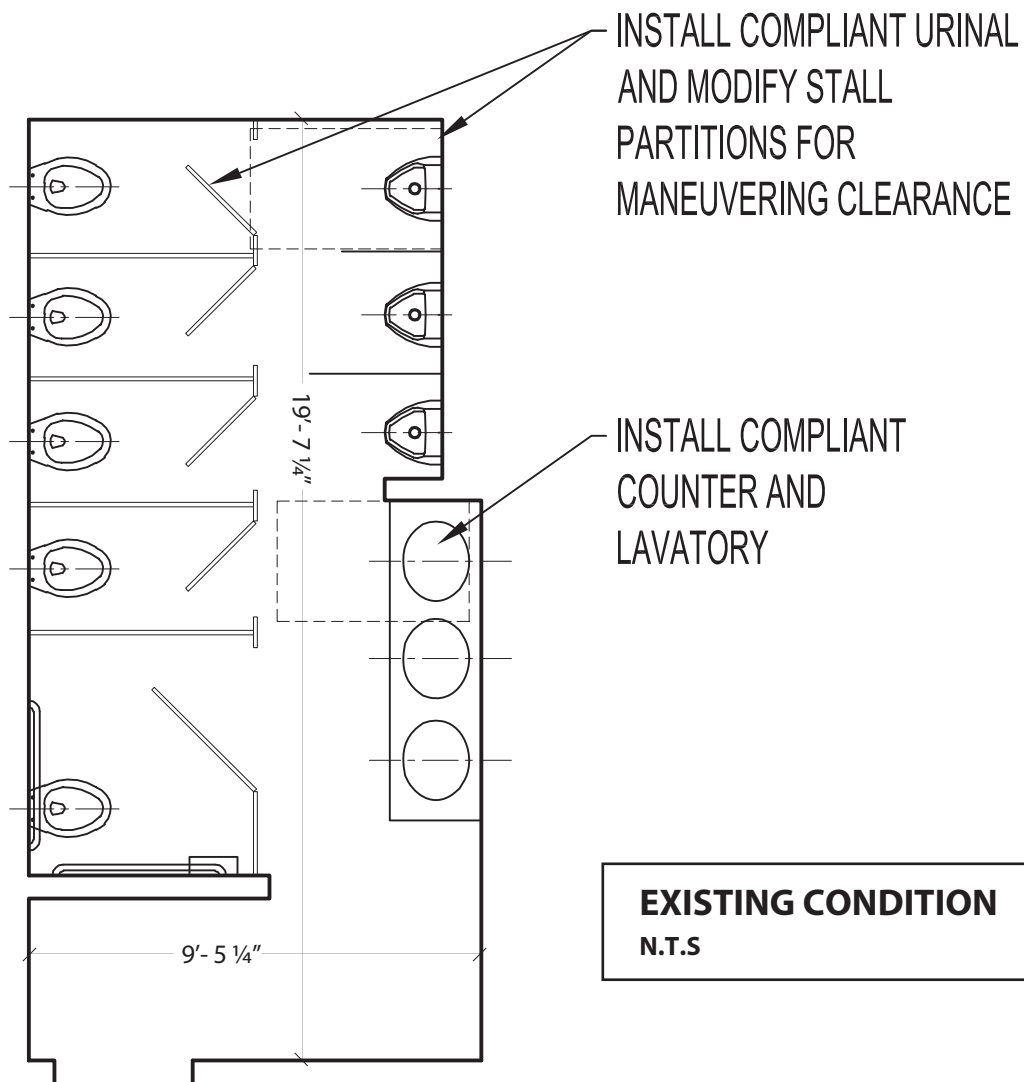




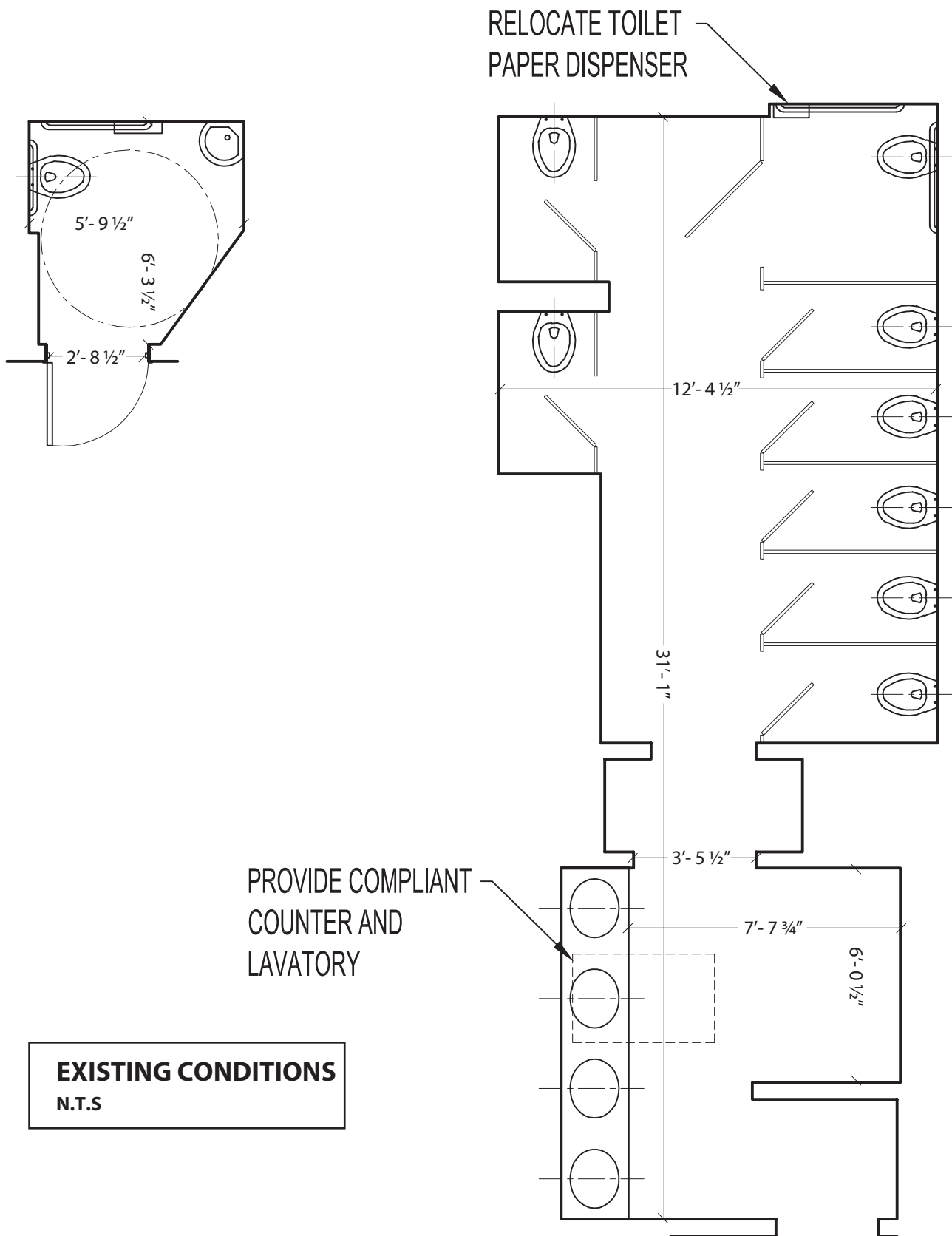
## 7. NEIL SIMON THEATER LOWER LEVEL - MENS' TOILET ROOM PLAN



## 7. NEIL SIMON THEATER LOWER LEVEL - WOMENS' TOILET ROOM PLAN



## 7. NEIL SIMON THEATER UPPER LEVEL - MEN'S TOILET ROOM PLAN



**7. NEIL SIMON THEATER  
ORCHESTRA LEVEL ACCESSIBLE TOILET AND  
UPPER LEVEL WOMEN'S TOILET ROOM PLANS**

**Exh. 7B Architectural Modifications to Neil Simon Theater**

<b>Line</b>	<b>Location Description</b>	<b>Existing Condition</b>	<b>Possible Solution</b>	<b>1991 Standards Reference</b>	<b>Architectural Modification</b>
1	Box Office	There are 4 pair of 32" wide doors that provide 29½" clear width at the main entry. Automatic double doors installed but one leaf is not working during 7/20/2011 visit.	Repair auto opener and keep both leaves operational at all times the Box office is open.	4.13.5 4.1.3(7) Fig. 24	<b>Defendant will repair automatic doors and leave operational at all times.</b>
2	Box Office	The doors that lead from the box office to the lobby provide only 29" clear width each and require 11 pounds of force to open.	Install a pair of coordinated automatic openers on two adjacent doors to provide the 32" minimum clear width when both doors are open. Provide self-actuating openers or install auto opener control buttons at approximately 42" AFF at a clear floor space which is outside of the swing of the doors.	4.1.3(7)(c) 4.13.5 4.13.6 4.13.10 Fig. 24	<b>Defendant will install compliant automatic doors.</b>
3	Box Office	There is an 8" wide by 16" deep shelf at 32" AFF in front of a closed ticket window and stanchions are sometimes in front of this shelf.	Keep accessible shelf unblocked and open at all time the Box Office is open.	7.2(2) 4.3	<b>Defendant will provide accessible counter at ticket window.</b>
4	Box Office	No signage is provided at the ticket office notifying patrons of the availability of accessible seating and seats with folding or removable armrests.	Install required signage at the ticket office.	4.1.3(19)(a)	<b>Defendant will provide compliant signage.</b>

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5	Box Office	No signage is provided at the ticket office or other apparent location notifying patrons of the availability of an assistive listening system.	Install such signage incorporating the International Symbol of Accessibility for Hearing Loss at the ticket office and/or other apparent location(s) notifying patrons of the availability of an assistive listening system. Sign should also state "Assistive Listening System Available".	4.1.3(19)(b) 4.33 4.30.7 Fig. 43(d)	<b>Defendant will provide compliant signage.</b>
6	Exit Corridor	There is 31" and 41" clear width at the exit door.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements. Or install a pair of coordinated automatic openers (with emergency power) on two adjacent doors to provide the 32" minimum clear width when both doors are open.	4.13.5 Fig. 24(a-d)	<b>Defendant will provide automatic door.</b>
7	Exit Corridor	The concession counter is 42" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	<b>Defendant removed the concession counter during the course of the investigation.</b>



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Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
8	Lobby	The floor slopes 5%-6% at the doors leading from the lobby into the theatre and the doors provide only 29" clear width. Exit doors #14 are used as the main entrance into the theatre.	Install a pair of coordinated automatic openers on two adjacent doors to provide the 32" minimum clear width when both doors are open and avoid the level door maneuvering clearance requirement on both sides of the doors. Provide self-actuating openers or install auto opener control buttons at approximately 42" AFF at a clear floor space which is outside of the swing of the doors.	4.13.6 4.3.7 4.13.5 Fig. 24(a-d)	<b>Reconfiguration of the ramps to provide compliant slopes is technically unfeasible due to surrounding structural elements and means of egress. Automatic doors have been provided.</b>
9	Lower Level	There are 4 concession counters at 41"-42" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	<b>Defendant has provided accessible concession counters during the course of the investigation.</b>
10	Lower Level (Men's Toilet Room)	The bottom to the reflecting surface of the mirror is 48.5" AFF.	Lower existing mirror.	4.19.6 Fig. 31	<b>Defendant will provide compliant mirror.</b>
11	Lower Level (Men's Toilet Room)	There are 4 lavatories with 29" AFF knee clearance at the front edge, 28" AFF at 8" back.	Insulate hot water supply and drain pipes. Ensure that all other sharp or abrasive surfaces are properly covered or filed smooth.	4.19.4	<b>Defendant will provide compliant pipe insulation.</b>

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<b>Line</b>	<b>Location Description</b>	<b>Existing Condition</b>	<b>Possible Solution</b>	<b>1991 Standards Reference</b>	<b>Architectural Modification</b>
12	Lower Level (Men's Toilet Room)	The drinking fountain spout outlet height is 42" AFF.	Install high-lo fountain or, as a readily achievable solution: install a flat- bottom cup dispenser at existing fixture within reach range not accommodated by existing drinking fountain. Coordinate with protruding object requirements.	4.1.3(10) 4.15 Fig. 27(a)	<b>Defendant will provide compliant flat-bottom cup dispenser.</b>
13	Lower Level (Men's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	<b>Defendant will provide compliant signage.</b>
14	Lower Level (Men's Toilet Room)	The paper towel dispenser is mounted at 54" AFF, forward approach.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.2.5 4.2.6 Fig. 5 Fig. 6	<b>Defendant will provide accessible mounting height of towel dispenser.</b>
15	Lower Level (Men's Toilet Room)	Non-fire rated door requires 13 pounds of force to open and travels from 70° open to within 3" of latch in 1.5 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	<b>Defendant will test and maintain door closer.</b>
16	Lower Level (Men's Toilet Room)	Marble threshold is 7/8" and vertical.	Remove and replace threshold with a compliant unit.	4.13.8 Fig. 7	<b>Defendant will lower threshold to accessible height.</b>

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17	Lower Level (Men's Toilet Room)	Toilet paper dispenser in accessible stall is mounted 44" to the near edge from the rear wall and 55" to the far edge from the rear wall.	Relocate existing compliant toilet paper dispenser as required, ensuring 1½" clearance below grab bar.	4.16.6 Fig. 29(b) Fig. 30(d)	<b>Defendant will provide accessible mounting height of toilet paper dispenser.</b>
18	Lower Level (Men's Toilet Room)	There are 7 urinals in this toilet room, none of which are accessible.	Remove one existing noncompliant urinal and install new elongated type at the required height.	4.22.5 4.18.2	<b>Defendant will remove two urinals and will install a compliant elongated type.</b>
19	Lower Level (Women's Toilet Room)	The toilet paper dispenser is mounted 44" to the near edge from the rear wall and 55" to the far edge from the rear wall.	Relocate existing compliant toilet paper dispenser as required, ensuring 1½" clearance below grab bar.	4.16.6 Fig. 29(b) Fig. 30(d)	<b>Defendant will provide accessible mounting height of toilet paper dispenser.</b>
20	Lower Level (Women's Toilet Room)	There is an accessible makeup counter with a mirror mounted at 45" AFF to the bottom of the reflecting surface.	Lower existing mirror or install full- length mirror at an accessible counter nearby.	4.19.6 Fig. 31	<b>Defendant will provide compliant make up counter.</b>
21	Lower Level (Women's Toilet Room)	Mirrors are mounted at 44.5" AFF to the bottom of the reflecting surface.	Lower existing mirror or install full- length mirror nearby.	4.19.6 Fig. 31	<b>Defendant will provide compliant mirror.</b>
22	Lower Level (Women's Toilet Room)	There are 13 stalls, the end stall is 60" wide x 102" long. The water closet is 25 1/2" from centerline to side wall.	Move the existing compliant water closet to the required position.	4.16.2 Fig. 28, 30	<b>Defendant will move water closet to compliant location.</b>
23	Lower Level (Women's Toilet Room)	Hot water is available at lavatory and hot water supply pipes and/or drain pipes are not insulated or covered.	Insulate hot water supply and drain pipes. Ensure that all other sharp or abrasive surfaces are properly covered or filed smooth.	4.19.4	<b>Defendant will provide compliant pipe insulation.</b>

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24	Lower Level (Women's Toilet Room)	The drinking fountain spout outlet height is 42" AFF. Paper cups are provided nearby.	Install high-lo fountain or, as a readily achievable solution: provide a flat- bottom cup dispenser at the existing fixture within one of the compliant reach ranges.	4.1.3(10) 4.15 Fig. 27(a)	<b>Defendant will provide compliant flat- bottom cup dispenser.</b>
25	Lower Level (Women's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	<b>Defendant will provide compliant signage.</b>
26	Lower Level (Women's Toilet Room)	Paper towel dispensers are at 55" AFF, forward reach over a counter.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.2.5 4.2.6 Fig. 5 Fig. 6	<b>Defendant will provide accessible mounting height of paper towel dispenser.</b>
27	Lower Level (Women's Toilet Room)	Non-fire rated door requires 10 pounds of force to open and travels from 70° open to within 3" of latch in 1.75 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	<b>Defendant will test and maintain door closer for compliance.</b>

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28	Lower Level (Women's Toilet Room)	Exit door requires 14 pounds of force to open and travels from 70° open to within 3" of latch in 1.25 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	<b>Defendant will test and maintain closer for compliance.</b>
29	Orchestra Level (Accessible Toilet Room)	There is raised letter and Braille signage mounted on the face of the outswinging door at 45" to 53" AFF.	No wall or door at latch side - relocating existing compliant signage to another location is technically infeasible.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	<b>Defendant will provide compliant signage.</b>
30	Orchestra Level (Accessible Toilet Room)	The rear grab bar is 24" long and is located 3" from the side wall at 36" AFF.	Remove existing rear grab bar and install new compliant rear grab bar. Provide backing in wall as necessary.	4.1.3(11) 4.22.4 4.17.6 4.26 Fig. 30	<b>Defendant will install compliant grab bars.</b>
31	Orchestra Level (Accessible Toilet Room)	The side grab bar is 40" long and is located 3" from the rear wall at 36" AFF.	Remove existing side grab bar and install new compliant side grab bar. Ensure that grab bar is mounted 12" maximum from rear wall and extends at least 54" from rear wall.	4.1.3(11) 4.22.4 4.17.6 4.26 Fig. 30	<b>Defendant will install compliant grab bars.</b>
32	Orchestra Level (Accessible Toilet Room)	The water closet is 15" from centerline to side wall. The water closet seat height is 18" AFF.	Move the existing compliant water closet to the required position.	4.1.3(11) 4.22.4 4.17.2 4.16 Fig. 30	<b>Defendant relocated water closet to accessible distance from side wall.</b>
33	Orchestra Level (Accessible Toilet Room)	The paper towel dispenser is mounted at 51" AFF, forward approach.	Install new towel dispenser within reach range where required clear floor space is available.	4.1.3(11) 4.22.7 4.27.3	<b>Defendant will provide compliant mounting height of paper towel dispenser.</b>

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Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
34	Orchestra Level (Accessible Toilet Room)	Corner-mounted lavatory is 13½" x 13½" with a 17" deep diagonal rim at 34" AFF. Knee space is insufficient to allow roll-under.	Remove existing lavatory and install compliant model. May require reconfiguration of wall under lavatory to provide knee space.	4.19.2 Fig. 31 Fig. 32	<b>Defendant will install compliant lavatory. Wall modifications are not feasible as per Architectural Modification Item 32.</b>
35	Orchestra Level (Accessible Toilet Room)	The toilet paper dispenser is mounted 42" to the near edge from the rear wall and 52" to the far edge from the rear wall.	Relocate existing compliant toilet paper dispenser as required, ensuring 1½" clearance below grab bar.	4.16.6 Fig. 29(b) Fig. 30(d)	<b>Defendant will relocate toilet paper dispenser to accessible mounting height.</b>
36	Stairs	There is no accessible route to the Upper Level. Stairs to the upper level lobby from house left have noncompliant handrails that do not extend past the bottom or the top riser.	Extend existing compliant handrail(s) as required past top and bottom risers where technically feasible. Coordinate with other handrail and protruding object requirements.	4.9.3(2) 4.1.3(4) 4.2.4(2) 4.4 Fig. 19 c & d	<b>Defendant has provided compliant handrails during the course of the investigation.</b>
37	Upper Level (Men's Toilet Room)	There is a 5" step up to the toilet room.		4.17.1	<b>Defendant will provide handrails.</b>
38	Upper Level (Men's Toilet Room)	Lavatories have base cabinets that do not provide compliant knee space.	Remove the existing lavatory and counter. Install a new compliant counter and reinstall the existing lavatory.	4.19.2 Fig. 31	<b>Defendant will install compliant counter and lavatory.</b>
39	Upper Level (Men's Toilet Room)	The drinking fountain spout outlet height is 42" AFF.	Install high-lo fountain or, as a readily achievable solution: provide a flat-bottom cup dispenser at the existing fixture within one of the compliant reach ranges.	4.1.3(10) 4.15 Fig. 27(a)	<b>Defendant will provide a flat-bottom cup dispenser.</b>

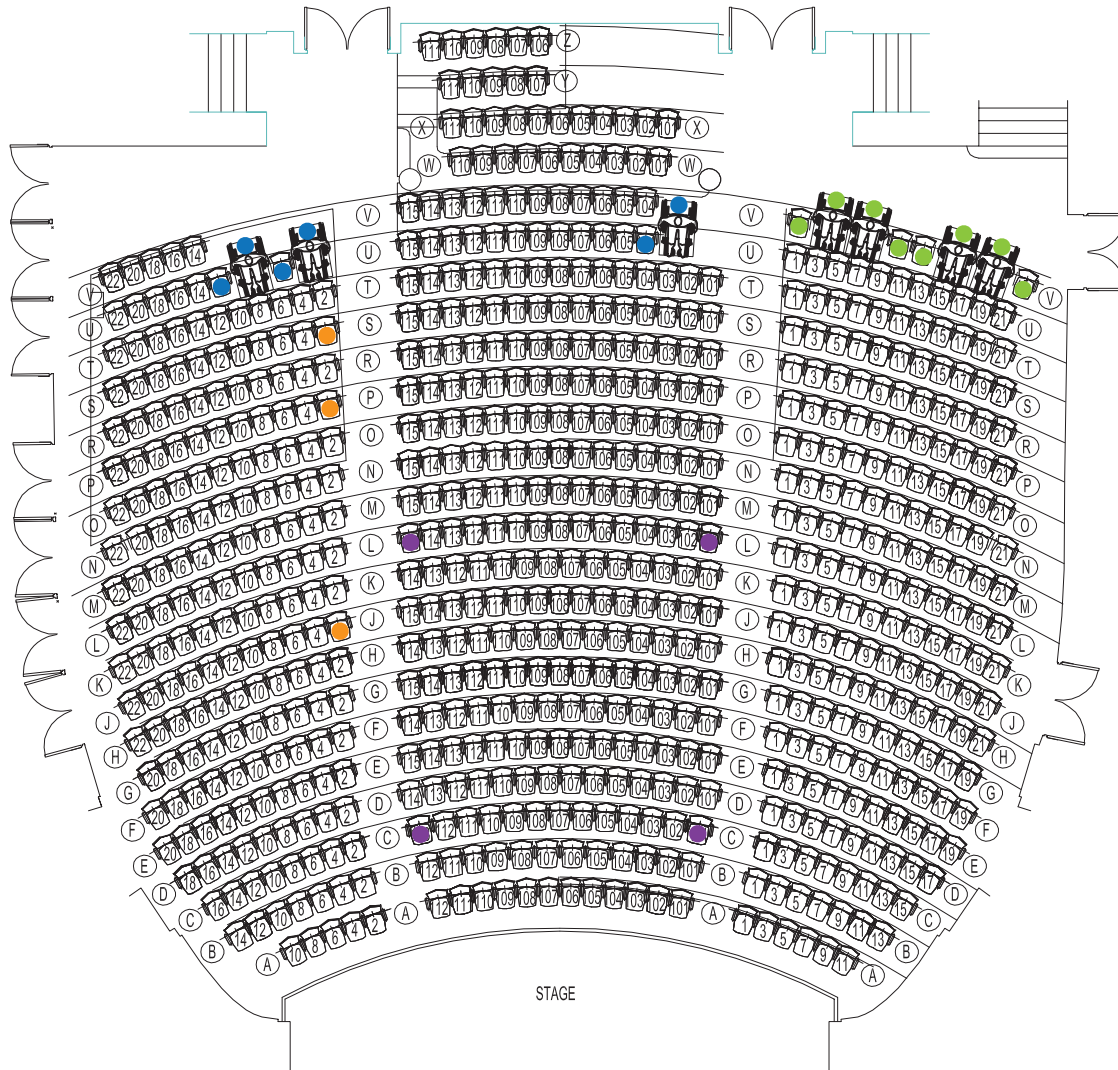
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40	Upper Level (Men's Toilet Room)	The soap dispensers are at 45" AFF over a 35" deep obstruction for a side reach.	Relocate the existing soap dispenser within reach range.	4.2.5 4.2.6 Fig. 5 Fig. 6	<b>Defendant will relocate soap dispenser to a compliant mounting height.</b>
41	Upper Level (Men's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	<b>Defendant will provide compliant signage.</b>
42	Upper Level (Men's Toilet Room)	Toilet paper dispenser in accessible stall is mounted 41" to the near edge from the rear wall and 51" to the far edge from the rear wall.	Relocate existing compliant toilet paper dispenser as required, ensuring 1½" clearance below grab bar.	4.16.6 Fig. 29(b) Fig. 30(d)	<b>Defendant will relocate toilet paper dispenser to a compliant mounting height.</b>
43	Upper Level (Men's Toilet Room)	The paper towel dispensers are at 52" AFF over a 22" deep obstruction.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.2.5 4.2.6 Fig. 5 Fig. 6	<b>Defendant will relocate toilet paper dispenser to a compliant mounting height.</b>
44	Upper Level (Men's Toilet Room)	There are 3 urinals in this toilet room, none of which are accessible.	Remove one existing noncompliant urinal and install a new elongated type at the required height.	4.22.5 4.18.2	<b>Defendant will provide compliant urinal.</b>

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45	Upper Level Lobby	There are concession counters at 42" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	<b>Defendant will provide compliant concession counter.</b>
46	Building	No directional signage to nearest accessible toilet room at inaccessible toilet rooms.	Provide compliant directional signs to most accessible toilet room at inaccessible toilet rooms and stairs leading to them.	4.1.2(7)(d) 4.1.6(3)(e)(iii)	<b>Defendant will provide compliant signage.</b>
47	Building	There is no raised lettering and Braille room identification signage provided.	Install compliant signage in the required location(s).	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	<b>Defendant will provide compliant signage.</b>

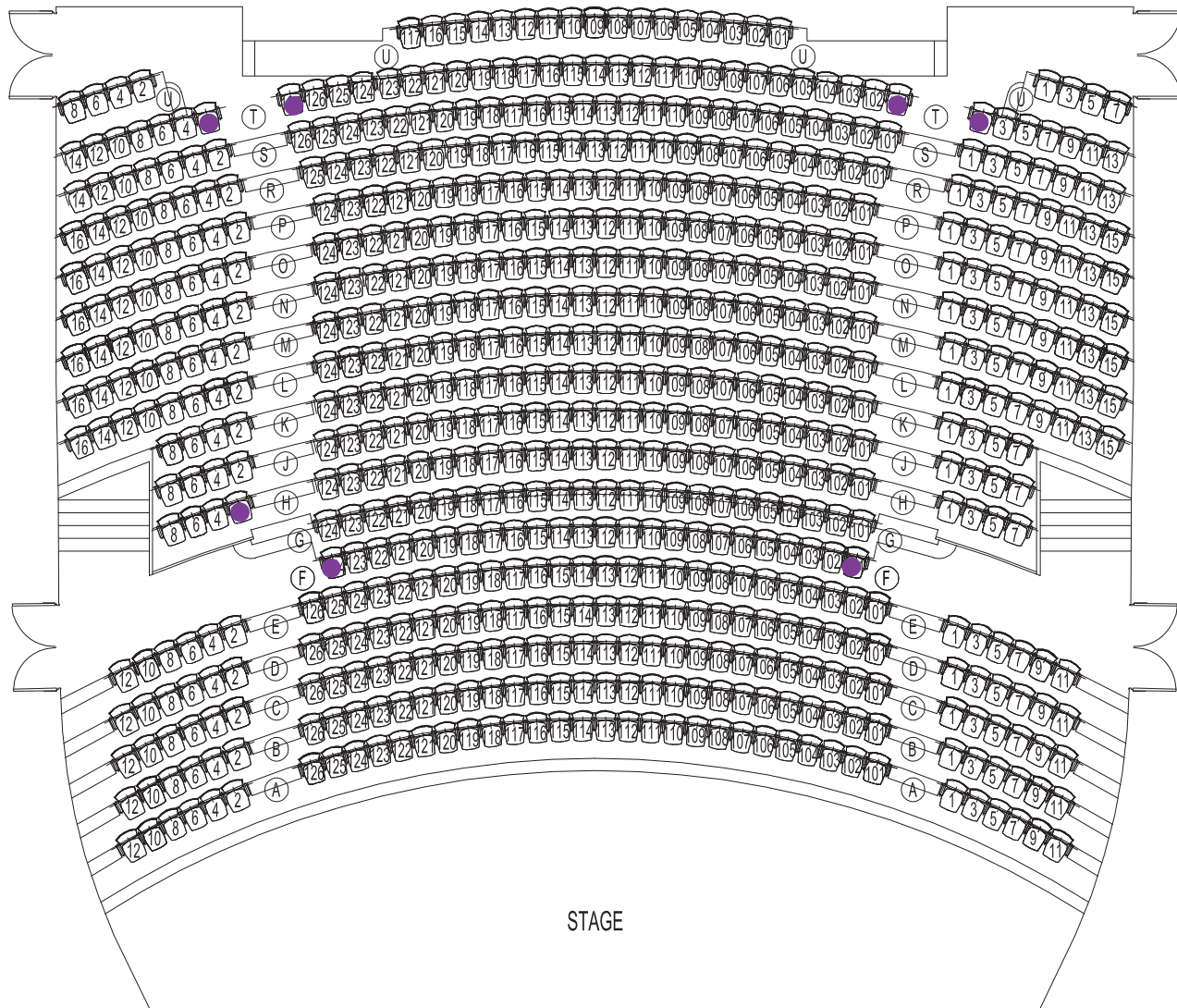




## Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

**NOTE:** At the Neil Simon, 3 wheelchair seating and companion locations, and all 14 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 4 wheelchair seating and companion locations are sold at the lowest price.



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- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

*NOTE:* At the Neil Simon, 3 wheelchair seating and companion locations, and all 14 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 4 wheelchair seating and companion locations are sold at the lowest price.